

Protest of January 15, 1810 Northerly Parish Meeting

Commonwealth of Massachusetts

To the Honourable Senate and House of Representatives in General Court convened, January 1810 :

The undersigned freeholders and Inhabitants of the second or northerly Parish in the Town of Kittery,

Most respectfully shew

That on the eighteenth day of April, 1809, The inhabitants of the aforesaid Parish, of all Denominations of Christians within the Limits of said Parish, were called on by Order of the Assessors of said parish ; qualified to Vote in Town or Parish affairs, To meet at the meeting house in said Parish, on the twenty-seventh day of the same month, to take into consideration the situation and circumstances of said Town, and to Petition the General Court of this Commonwealth (if they saw cause,) to have the said second Parish separated from the said Town of Kittery, and incorporated into a Town, &c., and to choose an Agent to carry the same into Effect at the next Session of said General Court, and some of the Undersigned attended said Meeting, and Voted against the aforesaid separation, and against choosing an Agent for the purpose Aforesaid. Yet an Agent was chosen at said meeting, who did Petition your honours to have said second Parish incorporated into a Town with the privileges that other Towns in this commonwealth have and enjoy. On which said Parish Received Your Order of notice, to shew cause (if any we had) why the prayer of said petition should not be granted.

A Meeting was then called by order of the aforesaid Parish Assessors, to act on the said Order of Notice, to Choose an Agent or agents to carry the aforesaid petition into effect, which Meeting was called to be holden at the Meeting House in Said second Parish 'on tie 15th day of January Instant, on the very day and hour that the Annual Town Meeting was to be holden by adjournment in the middle Parish in said Town, which adjournment was well known by said Assessors, long before the warrant was drawn for said meeting. The undersigned did attend said meeting in a peaceable and Orderly manner, part being of the denomination of Christians called Quakers, part of the denomination of Christians Called Baptists, and a part who were set off for conveniency to the middle Parish by an act of the General Court. Several of us then assembled in said Meeting attempted to speak in the business for which we were assembled. On which the Moderator of said meeting made Proclamation that the several Denominations aforesaid, who did not pay a parish Tax to the support of the ministry in said Parish, had no right to Vote or speak in said meet'g, although called for the purpose aforesaid. We then, with a number of those who did actually pay Taxes to the said Parish, absented or withdrew from said Meeting. After which they did choose two Agents to carry the former Petition into Effect or Petition anew.

Therefore as we View the proceedings of sd Meet'g to be an infringement on our privileges, that they were unconstitutional, illegal, unrighteous, and Oppressive ; that it is a sub version of that Good Order that is the Ornament and Bonds of civil Society ; and introductory of anarchy and confusion ; we feel a laudable ambition and an Ardent zeal to support that Peace and tranquility that has long subsisted among the inhabitants of the aforesaid Town of Kittery, we are compelled to View with a jealous Eye the daring usurper who attempts on the principles of party rage, to destroy that peace, good Order, an unanimity which has long actuated said Town of Kittery.

Under a just sense of the dangers that await us on a Separation, we are reluctantly compelled to remonstrate against your honour's granting the prayer of said Agents Petition, or receiving or hearing the two Agents Chosen at said Last Parish meeting, in any way or Manner whatever, as it respects the division of said Town, as the meeting in which they were chosen was conducted in an Illegal and Arbitrary manner, Actuated by the same Zeal that gave birth to the aforesaid Agents Petition.

And your Petitioners, as in duty bound, will ever Pray. . Kittery, Jan'y 27, 1810.

Daniel Goodwin Sam'l Hammond Samuel Leighton James Neal Stephen Neal Moses Hammond

Jonathan Hammond, 3d. Elisha Goodwin

John Rogers John Cutts Nath'l Hanscom

We the Subscribers, Freeholders & inhabitants of the northerly or second Parish in the Town of Kittery, Do hereby certify that we attended the Parish Meeting in said Parish, on the 15th Instant, and on hearing the moderator of said Meeting proclaim that part of the number present to have no right to Vote in said meeting, and a part to be denied the privilege of Voting in said meeting,—altho all of us are Inhabitants of said Parish and qualified Voters, We did consider it as unconstitutional, illegal and Oppressoe, and withdrew ourselves from the meeting on that Account, although we do all pay Taxes annually to Congregational Ministry of said parish.

Kittery, January. 1810.

Daniel Odiorn, Daniel Goold, Dependance Gould,
Charles Frost. Nath'l Frost, Daniel Goodwin, jr.,
David Libbey, Alexd. Ferguson, Sam'l Clark,
Nahum Emery, Joseph Frost, John Raitt, jr., Ezra Libbey,
Nathan Libbey, jr. Nathan Ferguson, James Hubbard.